

March 14, 2017

Mr. Robert Bond
The Wilson T. Ballard Company
17 Gwynns Mill Court
Owings Mills, Maryland 21117

Re: Haller Property
1314 & 1316 Glencoe Road
Forest Buffer Variance
DEPS Tracking Number: 03-19-2936

Dear Mr. Bond:

Environmental Impact Review staff has completed an evaluation of a Forest Buffer Variance application in accordance with Section 33-3-106 of the Forest Buffer Law of the Baltimore County Code, requesting to allow for the continued existing use of mowed lawn areas located within the forest buffer. The properties, identified as Lot 1 (1316 Glencoe Rd.-5.59-ac.) and Lot 2 (1314 Glencoe Rd.-7.06-ac.) are the result of a minor subdivision approved in 1991, known as the Haller Property, and is located in the Sparks/Glencoe section of Baltimore County. Prior to the subdivision, the area of Lot 2 had been developed, containing an existing carriage house residence located in the central portion of the lot. A forest buffer, including a stream, non-tidal wetlands and 100-year floodplain, are present on the southern and northeastern portions of Lot 2. The first order, Use IIIP stream flows westward, beneath Home Road directly into the Gunpowder Falls, which is approximately 200 feet offsite to the west. The Gunpowder Falls projects a forest buffer onto the western portion of Lot 2 and the southwestern corner of Lot 1. Subsequent to the subdivision, a new dwelling was constructed in 1992 on Lot 1, which remains mostly forested. Access to Lot 1 is gained through Lot 2.

The approved minor subdivision plan delineates an approved forest buffer and a *modified* forest buffer. The approved forest buffer extends from the tributary stream on the southern portion of the property, to, and northeast of the carriage house, and includes a majority of the lawn area. The modified forest buffer comprises less area, and provides relief for continued existing use of some areas of existing lawn, and allows for turf maintenance around the dwelling, while protecting water quality.

This Department has reviewed your request, and has determined that an unreasonable hardship would exist if full compliance with the forest buffer regulations was required, severely limiting use of the site, and that the enclosed plan shows the most feasible area for continued existing use of a portion of the buffer as lawn, located between the approved forest buffer and the modified forest buffer. The enclosed plan shows these features. We also acknowledge that the potential for impacts to water quality can be minimized by performing mitigative measures.

Mr. Robert Bond
Haller Property -Forest Buffer Variance
1314 & 1316 Glencoe Road
March 14, 2019
Page 2

Therefore, the variance is hereby approved in accordance with Section 33-3-106 of the Baltimore County Code, with the following conditions:

1. The following variance note shall appear on all future plans for this project: "A variance was approved by Baltimore County from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains. The maintained areas of continued existing use within the Forest Buffer Easement is reflective of the fact that the variance was approved. Conditions were placed on this variance to reduce water quality impacts."
2. The Forest Buffer Easement, shown on the plan enclosed with this variance approval, must be recorded in the Baltimore County Land Records, via the right-of-way/easement plat process, along with a declaration of protective covenants. This shall be completed by December 31, 2019.
3. A Forest Buffer Protection Plan (FBPP) must be reviewed and approved by this Department, by June 30, 2019. The FBPP shall include permanent, protective signage being posted along the modified forest buffer boundary, shown on the plan enclosed with this variance approval. The plan must state that all disturbance, including mowing, must cease within the limits of the modified forest buffer. Native plantings may be required within the modified buffer, which may be addressed during development of the FBPP.

It is the intent of this Department to approve the variance request subject to the above conditions. Any change to site layout may require submittal of revised plans and an amended variance request.

Please have all property owners the statement on the following page and return the signed copy to this office within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in processing of plans for this project.

Should you have any questions regarding this correspondence, please contact Thomas Panzarella at (410) 887-3980.

Sincerely yours,

David V. Lykens
Acting Director

DVL: tcp

Enclosure (1)

Mr. Robert Bond
Haller Property -Forest Buffer Variance
1314 & 1316 Glencoe Road
March 14, 2019
Page 2

I/We agree to the above conditions to bring my/our property, located at 1314 Glencoe Road & 1316 Glencoe Road, into compliance with the Baltimore County Code, Article 33, Title 3: Protection of Water Quality, Streams, Wetlands and Floodplains.

_____ Property Owner (s)	_____ Date	_____ Property Owner (s)	_____ Date
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_____ Printed Name (s)	_____ Printed Name (s)
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